

**From:** philip a kenner <[pak33@mac.com](mailto:pak33@mac.com)>  
**Date:** October 16, 2008 at 9:40:56 AM EDT  
**To:** john kaiser <[johnrkaiser@gmail.com](mailto:johnrkaiser@gmail.com)>  
**Subject: Re: 8224 mortgage**

This is the October 16, 2008 notarized document from Kaiser to verify the additional \$500,000 he invested in the Los Frailes project...

JK:

Nice job. I will be forwarding the doc I used with Bobby to you to get signed and notarized this AM. Please fax it back to me at 646.827.0832 and then mail it to 10705 East Cactus Road, Scottsdale, AZ 85259

Thanks. Phil

On 10/16/08 6:31 AM, "john kaiser" <[johnrkaiser@gmail.com](mailto:johnrkaiser@gmail.com)> wrote:

I hit the \$500,000 mark!! jk

On Wed, Oct 15, 2008 at 3:19 PM, philip a kenner <[pak33@mac.com](mailto:pak33@mac.com)> wrote:  
FYI...

The October payment has been paid. pk

The FBI, US Attorney, and IRS agents are 100% aware of Kaiser's family thefts and repeated change of story!!

**Wayne Joshua R**

**From:** → Galoto, Matthew <Matthew.Galoto@ic.fbi.gov>  
**Sent:** → Thursday, February 06, 2014 5:50 PM  
**To:** → Beckmann, Diane (USANYE)  
**Cc:** → Wayne Joshua R  
**Subject:** FW: Frailes transfer doc  
**Attachments:** fax\_6002467.tif; ATT00001..htm

Frailes contract Kaiser signed with Kenner.

**From:** John Kaiser [mailto:johnrkaiser@gmail.com]  
**Sent:** Saturday, January 28, 2012 9:55 AM  
**To:** Galoto, Matthew  
**Subject:** Fwd: Frailes transfer doc

Kaiser actually sends the proof of his 500k theft from his friends and family to the FBI...

Sent from my iPhone

Begin forwarded message:

**From:** philip a kenner <pak33@mac.com>  
**Date:** October 16, 2008 9:49:47 AM EDT  
**To:** john kaiser <johnrkaiser@gmail.com>  
**Subject:** Frailes transfer doc

Please have this signed, notarized, and faxed back to me at 646.827.0832

Please mail the original (regular mail) to me at 10705 East Cactus Road, Scottsdale, AZ 85259

Thanks. Phil

**Assignment of Contract for Sale and Purchase**

This assignment made this 16<sup>th</sup> of October, 2008 by Philip A. Kenner ("ASSIGNOR") to John Kaiser ("ASSIGNEE").

Whereas, the assignor entered into a Contract for Sale and Purchase of eight and one third (8 1/3) percent interest in 16 Hectares located in Los Frailes, Baja California Sur, Mexico for \$500,000 USD minus any applicable transfer fees, and

Whereas, the Assignee desires to acquire a eight and one third (8 1/3) percent right, title and interest in and to the contract,

Now therefore, for good and valuable consideration, receipt of which is hereby acknowledged, the Assignor assigns to the assignee, his legal representatives, successors and assigns, all right, title and interest in the contract, including any deposit monies held in escrow under the terms of the contract.

In witness whereof, the assignor and Assignee have executed this instrument on the day and year first above written.

Philip A. Kenner ("ASSIGNOR")  
By: Philip A. Kenner

John Kaiser ("ASSIGNEE")  
By: John Kaiser

State of NY  
County of Saratoga

Before me personally appeared John Kaiser the Assignor to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed the foregoing instrument for the purpose therein expressed.

WITNESS my hand and official seal, this 17<sup>th</sup> day of October, 2008.

My commission Expires: \_\_\_\_\_

Melissa D. Russo  
(Signature of Notary Public)

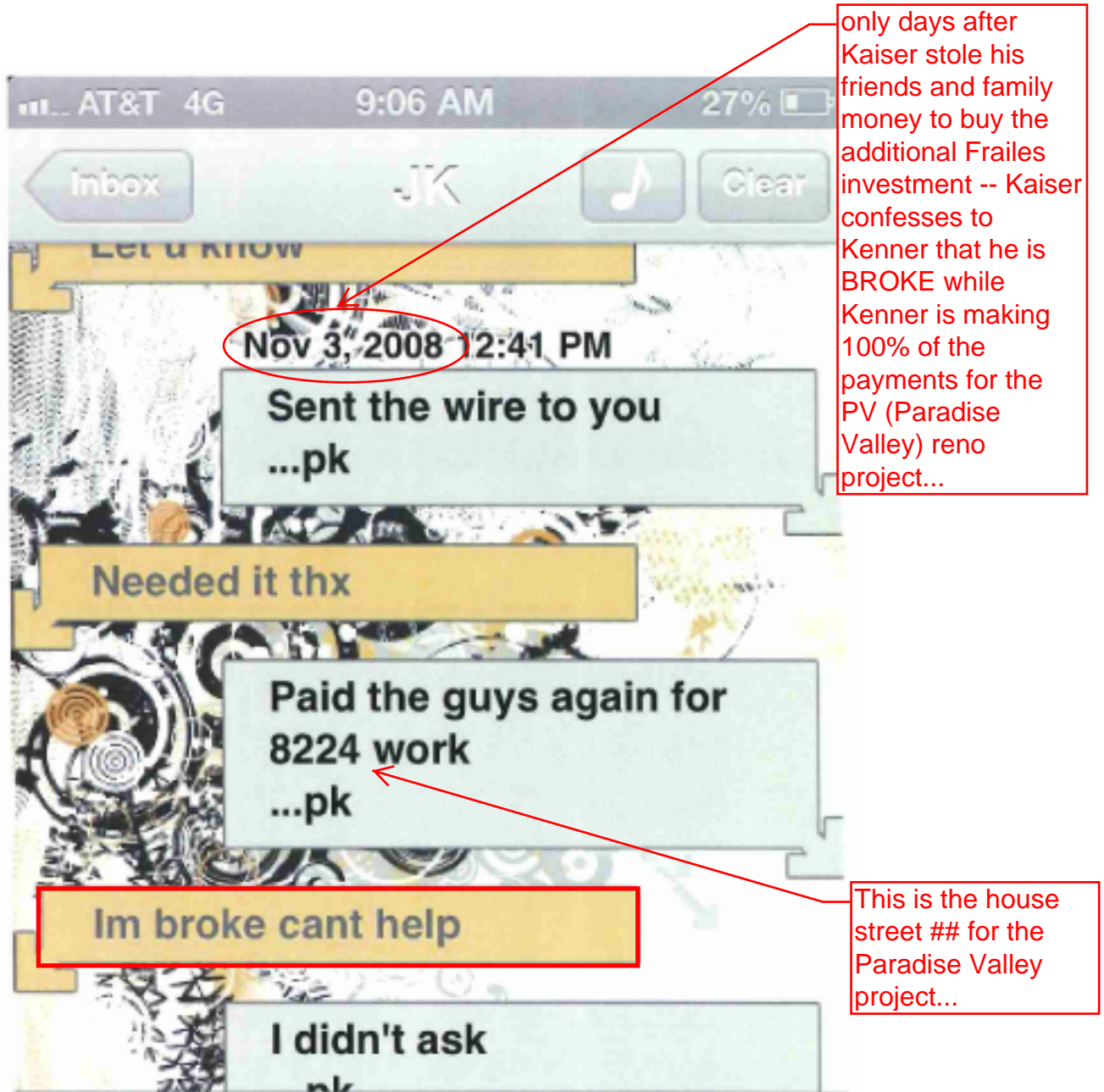
6/18/2011  
Print name of Notary Public

MELISSA D. RUSSO  
Notary Public, State of New York  
No. 01896184388  
Qualified in Saratoga County, NY 2011

ED-00002146

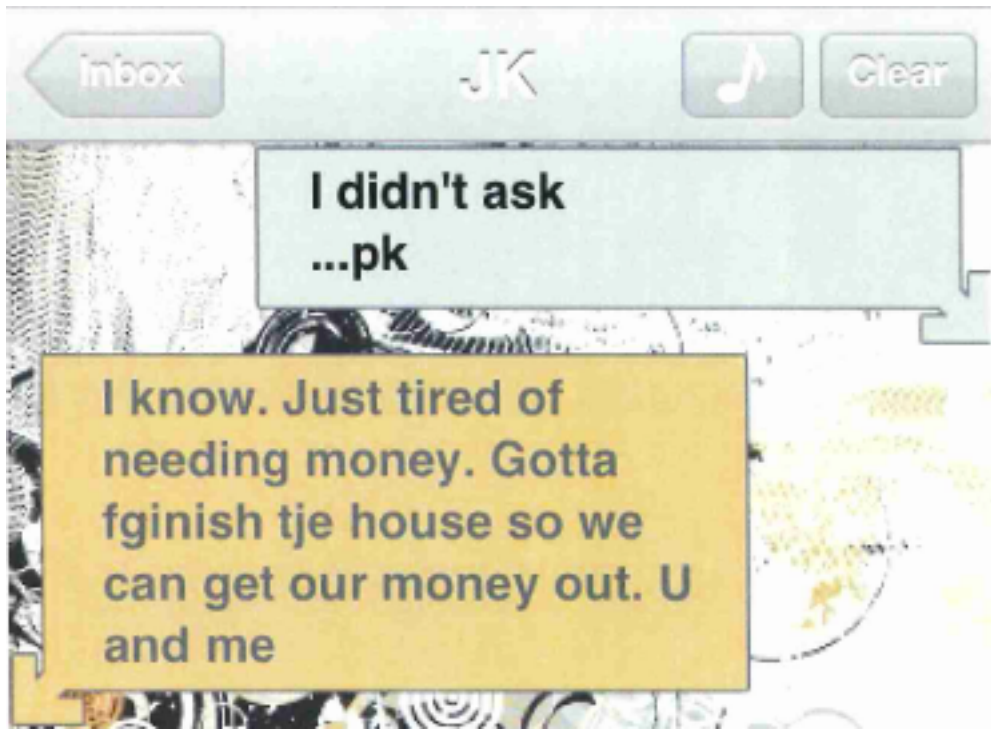
BX20-SD-00000235

In the possession  
of the EDNY and  
SDNY...

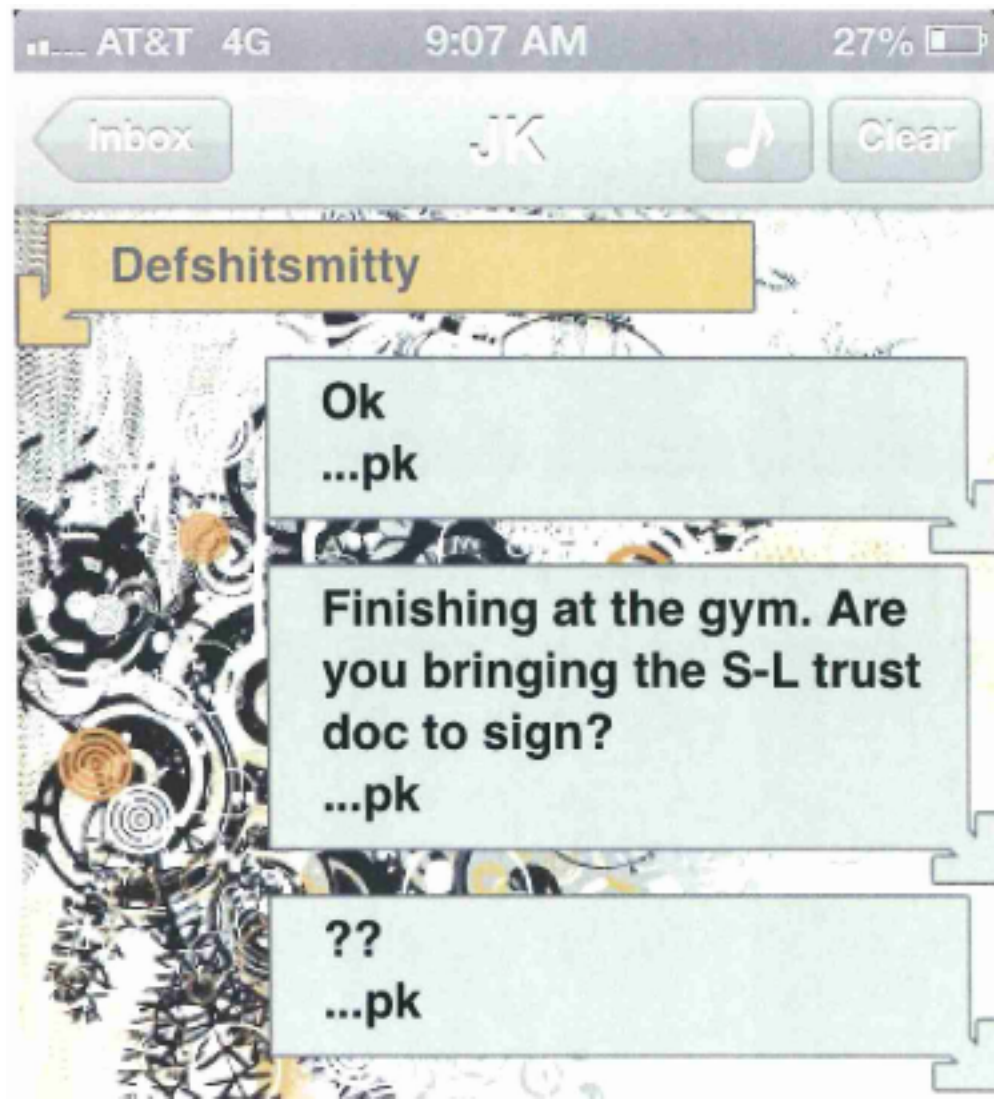


KENNER00281  
ED-00000602

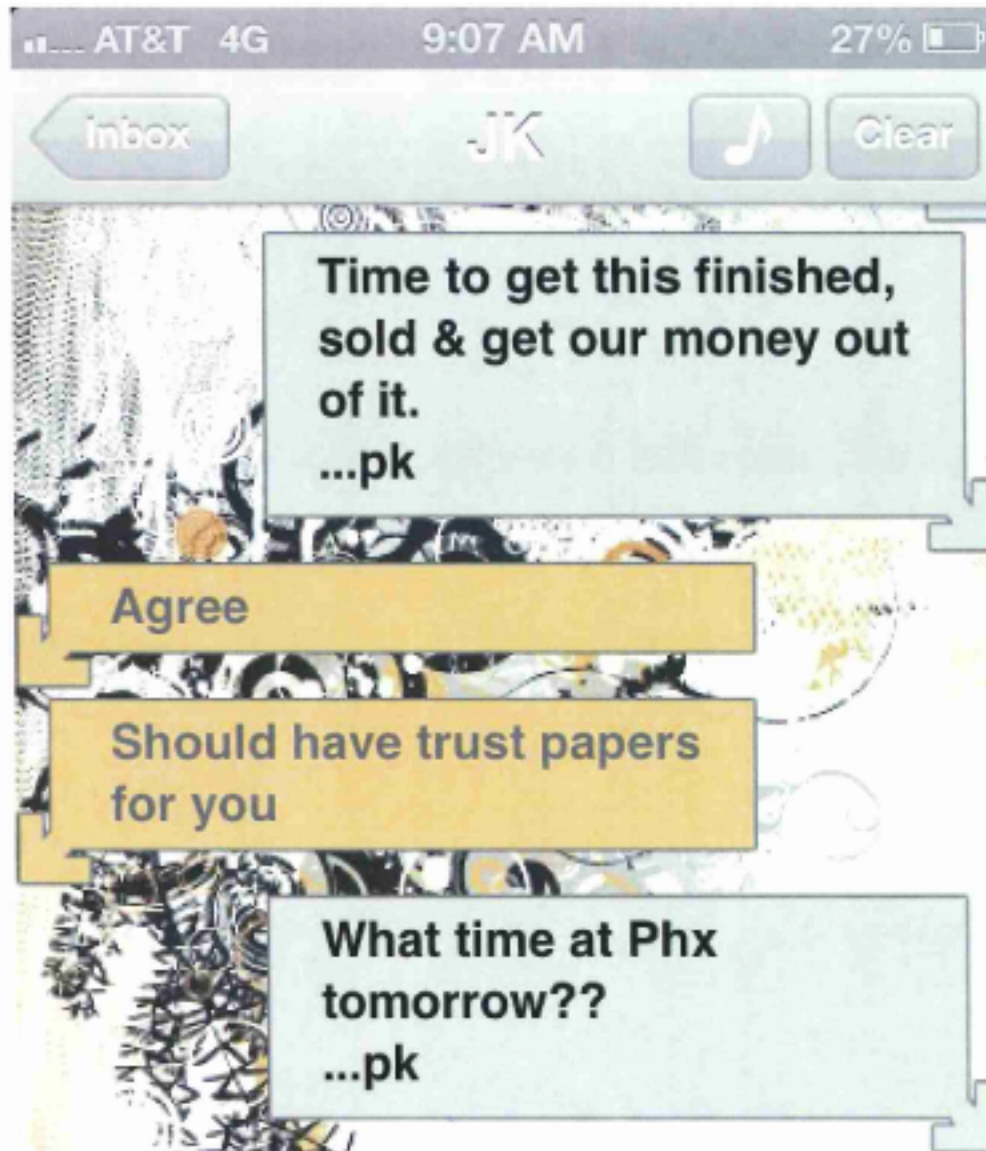




KENNER00283  
ED-00000603



KENNER00284  
ED-00000605

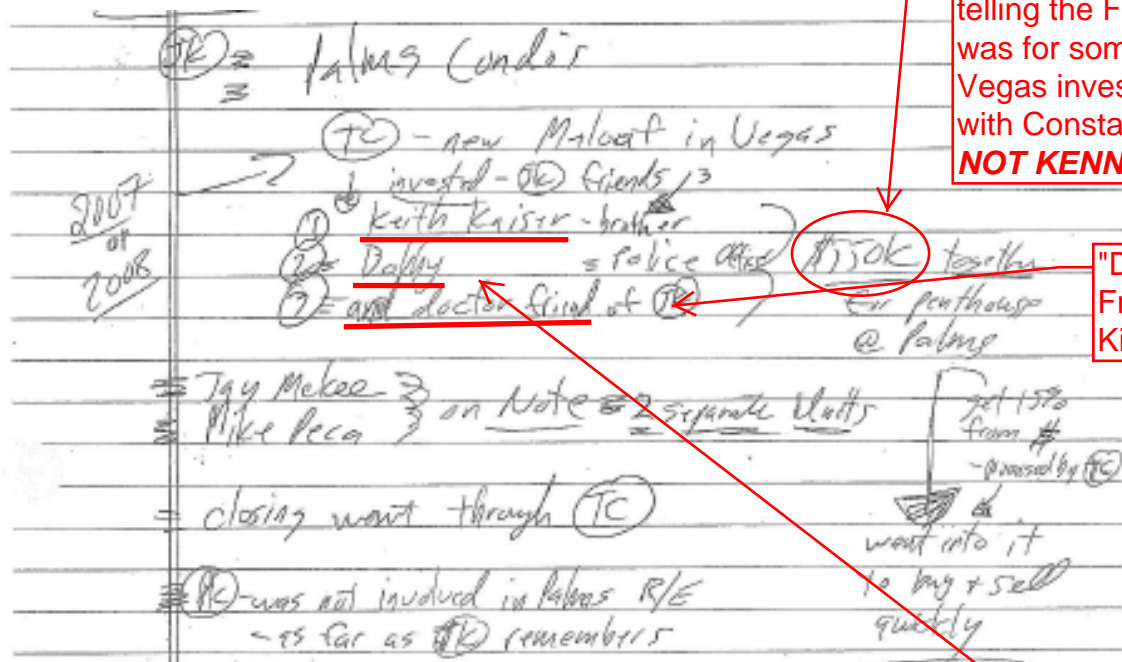


KENNER000288  
ED-00000606

## **MORE KAISER THEFT from friends & family:**

Please note that Kaiser 3500 notes from page 7 on October 19, 2010 confirm that Kaiser CLAIMS that he received \$550,000 (**not \$500,000**) from:

- Keith – his handicapped brother,
- Bob (Rizzi) – NY DEA officer, and
- A doctor friend of his (Frank Sconzo)...



Confession of \$550,000 taken from his friends and family -- but telling the FBI it was for some Las Vegas investment with Constantine -- **NOT KENNER...**

"Doctor friend" is Frank Sconzo who Kaiser stole

Robert "Bobby" Rizzi who shows up in court thinking kenner stole his money...

Kaiser alleges that the funds he received were for a deal in **Las Vegas (Palms Condos - closing thru Constantine)** to the FBI - **Galioto**.

Kaiser confirms that Kenner was not involved in the Las Vegas deal...

BUT – Kaiser after sending the above email engages in the following **immediate** activity with Kenner...

Kenner emails Kaiser that he will send a document to get **SIGNED AND NOTARIZED** – at 9:40:56 AM on **October 16<sup>th</sup>** - the same morning that Kaiser tells Kenner he “**mark**”.

Then – at 9:49:47 – Kenner emails Kaiser **SUBJECT: Frailes transfer doc** (above page 2) – ONLY 9 minutes after the first response with the attachment ED-2146...



Since Kenner had NO IDEA about Kaiser telling “friends and family” about the alleged Las Vegas deal for him to raise the money...Kenner forwarded the Frailes document – as previously agreed to...

Kaiser DOES NOT claim he is CONFUSED...**but instead** – Kaiser received the TRANSFER AGREEMENT and one day later (on **October 17<sup>th</sup>, 2008**) gets it **NOTARIZED** in Suffolk County NY – and returns it to Kenner!

- See **ED-2146** above – which was previously in the Southern District evidence – BATES **BX20-SD-0235**...

To further the fraud – Kaiser forwards this information to FBI Agent Galioto in January 2012 – obviously NOT remembering the FRAUD (\$550,000 raised from friends and family) he previously COMMITTED to...see BNK-MM-0098

JOHN KAISER  
7 HOLLY LANE  
SETAUKET NY 11733

08/29/06

7923109990

CYCLE-009

1

\*\*\* CHECKING \*\*\* ULTRA MMDA PERSONAL  
ACCOUNT NUMBER 7923109990  
PREVIOUS STATEMENT BALANCE AS OF 08/17/06 ..... 00  
PLUS 3 DEPOSITS AND OTHER CREDITS ..... **550,396.17**  
LESS 1 CHECKS AND OTHER DEBITS ..... 75,000.00  
CURRENT STATEMENT BALANCE AS OF 08/29/06 ..... 475,396.17  
NUMBER OF DAYS IN THIS STATEMENT PERIOD 12

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\*\*\* CHECKING ACCOUNT TRANSACTIONS \*\*\*

DATE	DESCRIPTION	DEBITS	CREDITS
08/18	DEPOSIT		<b>200,000.00</b>
08/24	DEBIT MEMO	75,000.00	
08/25	XFER FROM ACCT SV-008917526017		<b>350,000.00</b>
08/29	INTEREST PAYMENT		396.17

BNK-MM-00000098

Immediately after this date in 2012, Kenner sues Kaiser and Berard in AZ for the “THEFT” of the AZ renovation project.

Kaiser (& confirmed by Berard in his declaration in the AZ case – as well) CLAIM the \$500,000 was Kaiser’s contribution to the AZ renovation project (on October 21<sup>st</sup> and 30<sup>th</sup>, 2008 – with \$250,000 transfers each day)! Galioto is obviously aware of ALL Kaiser and Berard litigation – especially with Kenner – thus complicit with the Kaiser \$500,000 theft from his “**friends and family**”.

- AGAIN - Please note that Kaiser **actually received \$550,000** from his “friends and family” per Galioto’s 3500 notes – so another \$50,000 remained in Kaiser’s hands...and unaccounted for...

In addition – Galioto forwarded the information in February 2014 (after the Kenner Indictment) to the AUSA and IRS agents involved in the case – thus – highlighting the known Kaiser frauds to the AZ court...& IGNORED AGAIN!

To further confirm the Kaiser FRAUD of \$500,000 from his friends and family...4 days after the Kaiser \$500,000 for the Los Frailes purchase from Kenner was complete, Kaiser sends Kenner a text stating that he is **“IM BROKE CAN’T HELP”** ... - ED-602...

- Please note that this is in response to Kenner paying the workers (on the AZ project) the labor payroll...so if Kaiser’s \$500,000 was REALLY for the AZ renovation project as his declaration (& Berard’s claims) then why wouldn’t Kaiser state – **“I JUST SENT YOU \$500,000 FOR THE PROJECT”** – because he did NOT!

**ED-603** - Kaiser then tells Kenner that he is –

***“JUST TIRED of NEEDING MONEY...”***

**ED-606** - Finally – Kenner inquires about Kaiser bringing the SIGNED TRUST docs (Shangri-La Trust) so Kenner has a signed beneficiary doc – and Kaiser responds –

***“SHOULD HAVE TRUST PAPERS FOR YOU”***